

ments; to issue attachments, to punish for contempt to the same extent as provided by law for said court; to administer oaths to witnesses; to have all witnesses examined orally, which testimony shall be reduced to writing, and may be taken down by a competent stenographer and transcribed, and shall be signed and sworn to by said witness. The person appointed special commissioner in any case shall qualify by taking the oath prescribed by the Constitution of this State for officers, and shall, with all convenient speed, certify and return the testimony taken by him to the court appointing him; and said commissioner shall note all objections to testimony, and shall not exclude any testimony, and all questions as to the materiality or admissibility of same shall be reserved for the court trying the case, and such testimony so taken may be read in evidence upon the trial of the suit in which same was taken, subject to any legal objections which might be made to same. The compensation of such commissioner shall be his actual expenses in traveling and such fees as are allowed a notary public in taking depositions, to be taxed up as costs and collected in the same manner as now provided by law for district clerks in civil cases.

Sec. 6. When any notice is issued and served, as provided for in this act, ten full days, exclusive of the day of service, shall elapse before any witness so requested shall be compelled to appear and testify, or produce any books, papers or documents called for, and if the taking of testimony shall not be concluded on the date named in said notice, the witness or witnesses shall remain in attendance from day to day until same is completed or said witness is finally discharged by the court or commissioner, as the case may be; service of said notice and the return thereon, may be made by any sheriff or constable of this State, or by any disinterested person competent to make oath of the fact, and shall be made by said person executing the same, by delivering to the person or persons, attorney or attorneys to be served, a true copy of such notice; and return of such service shall be endorsed on or attached to the original notice; it shall state when the same was served and the manner of service and upon whom served, and shall be signed, and if served by any person other than an officer, shall be sworn to by the party making the service before some officer authorized by law to take affidavits, and such affidavit shall be certified under the hand and official seal of such officer.

Sec. 7. Any witness for the State, who shall testify or produce any books, papers or documents in any proceeding, or examination under the provisions of this act, shall not be subject to indictment or prosecution for any transaction, matter or thing, concerning which he truthfully testifies or produces evidence, documentary or otherwise.

Sec. 8. The provisions of this act shall be cumulative of all laws of this State, and shall not be construed as repealing any other law relating to the taking of testimony or evidence, but shall be construed as providing an additional means of securing evidence for the enforcement of the laws, as herein provided.

Sec. 9. The inadequacy of the laws of this State to enable the Attorney General or the district and county attorney acting under his direction, to procure testimony in support of, and prosecutions of suits brought by the State to enforce the law against trusts, monopolies and conspiracies in restraint of trade and the corporation laws, creates an emergency and imperative public necessity, demanding the suspension of the constitutional rule requiring bills to be read on three several days, and same is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Have carefully compared, same and find it correctly enrolled, and have this day, at 4:15 o'clock p. m., presented same to the Governor for his approval.

MASTERSON, Chairman.

#### FORTY-SECOND DAY.

Senate Chamber,

Austin, Texas,

Tuesday, March 5, 1907.

Senate met pursuant to adjournment.

President Pro Tem. Skinner in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Looney.
Barrett.	Masterston.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Paulus.

Absent—Excused.

Glasscock.

Prayer by Rev. H. M. Sears, Chaplain of the Senate.

Pending the reading of the Journal of yesterday, on motion of Senator Hudspeth, the same was dispensed with.

(See Appendix for committee reports, petitions and memorials.)

## BILLS AND RESOLUTIONS.

By Senator Chambers:

Senate bill No. 239, A bill to be entitled "An Act to authorize unincorporated joint stock companies or associations to sue and be sued in their company or distinguishing name, and to prescribe the mode and effect of service on such unincorporated companies and the legal effect of judgment that shall be rendered in such actions."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Holsey:

Senate bill No. 240, A bill to be entitled "An Act to prohibit State Representatives and Senators, members of Congress and United States Senators from holding offices while acting as an attorney or in the employment of any public service corporation, and prescribing penalties therefor."

Read first time, and referred to Committee on State Affairs.

By Senator Senter:

Senate bill No. 241, A bill to be entitled "An Act to amend Section 2 of an act entitled, 'An Act creating an Independent School District in the counties of Ellis and Dallas, State of Texas, to be known as the Ferris Independent School District, and to have all the powers, rights and duties of Independent School Districts formed by the incorporation of towns and villages for free school purposes only.'"

Read first time, and referred to Committee on Educational Affairs.

By Senator Kellie:

Senate bill No. 242, A bill to be entitled "An Act for the relief of the Houston Light Guard, a militia company known officially as Company 'A,' First Infantry, Texas National Guard, by rendering valid its title to armory property in the city of Houston, Texas."

Read first time, and referred to Committee on Military Affairs.

Morning call concluded.

## SENATE BILL NO. 7.

On motion of Senator Veale, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, Senate bill No. 7.

The Chair laid before the Senate, on third reading,

Senate bill No. 7, A bill to be entitled "An Act authorizing the Southern Kansas Railway Company of Texas to take up and abandon that part of its track and road, extending from Washburn to Panhandle, and in lieu thereof locate, construct, maintain and operate its road on a line extending direct from Panhandle to Amarillo."

The bill was read, and Senator Meachum offered the following amendment:

Amend the bill by adding on page 2, after Section 3, Section 3a, to read as follows: "The enactment of this law shall not preclude any person who may have a legal cause of action against said Southern Kansas Railway Company for damages, if any, occasioned by reason of the taking up and destruction of said track from prosecuting his said cause in the proper courts having jurisdiction of the case."

The amendment was adopted by the following vote:

Yeas—26.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Faust.	Meachum.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.

Nays—1.

Smith.

Absent.

Murray.	Willacy.
Paulus.	

Absent—Excused.

Glasscock.

The bill was read third time, and passed by the following vote:

Yeas—21.

Chambers.	Green.
Cunningham.	Greer.
Faust.	Griggs.

Grinnan.	Senter.
Harbison.	Skinner.
Holsey.	Stokes.
Hudspeth.	Stone.
Kellie.	Terrell.
Masterson.	Veale.
Mayfield.	Watson.
Meachum.	

Nays—6.

Alexander.	Harper.
Barrett.	Looney.
Brachfield.	Smith.

Absent.

Murray.	Willacy.
Paulus.	

Absent—Excused.

Glasscock.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 226.

On motion of Senator Chambers, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, Senate bill No. 226.

The Chair laid before the Senate, on second reading,

Senate bill No. 226, A bill to be entitled "An Act to amend 'An Act imposing an annual occupation tax upon each office or place kept and maintained by express companies in this State, at which intoxicating liquors legally deliverable are delivered upon payment of purchase money therefor; providing a penalty for failure to pay such tax; and declaring an emergency,' passed and enacted at the present session of the Thirtieth Legislature of the State of Texas, and approved the 12th day of February, 1907, so as add thereto Section 2a, relieving such companies from keeping, operating or maintaining offices at which intoxicating liquors are deliverable upon the payment of the purchase price therefor, and further relieving such companies from any obligation to receive, transport or deliver any intoxicating liquors to be paid for on delivery."

The committee report, which provided that the bill be not printed, was adopted, on motion of Senator Chambers.

Bill read second time, and ordered engrossed.

On motion of Senator Chambers the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third

reading and final passage by the following vote:

Yeas—25.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Faust.	Meachum.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Holsey.	

Nays—1.

Watson.

Absent.

Murray.	Stokes.
Paulus.	Veale.

Absent—Excused.

Glasscock.

The bill was read third time, and passed by the following vote:

Yeas—25.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Faust.	Meachum.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Holsey.	

Nays—1.

Watson.

Absent.

Murray.	Stokes.
Paulus.	Veale.

Absent—Excused.

Glasscock.

Senator Chambers moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 236.

On motion of Senator Masterson, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, Senate bill No. 236.

The Chair laid before the Senate, on second reading,

Senate bill No. 236, A bill to be entitled "An Act to amend the charter of the city of Galveston by amending Sections 10, 24, and 51 thereof, Subdivision (f) and Subdivision (a) of Section 19 thereof, Subdivision (u) of Section 34 thereof, Subdivision (b) of Section 34 thereof, Sections 74, 54, 44, 78, 32, and Subdivision (a) of Section 71 and adding to said chapter Section 20 (a), Section 71 (b), Section 71 (c) and Section 71 (e), repealing all laws and parts of laws in conflict herewith and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted on motion of Senator Masterson.

Senator Masterson offered the following amendment, which was adopted:

Amend the bill by inserting after the words, "police department," in Section 74, the words, "health department."

Bill read second time, and ordered engrossed.

On motion of Senator Masterson the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Hudspeth.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Senter.
Faust.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Harbison.	Murray.
Kellie.	Paulus.
Meachum.	Veale.

Absent—Excused.

Glasscock.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Grinnan.
Barrett.	Griggs.
Brachfield.	Griffin.
Chambers.	Harper.
Cunningham.	Holsey.
Faust.	

Hudspeth.	Smith.
Looney.	Stokes.
Masterson.	Stone.
Mayfield.	Terrell.
Senter.	Watson.
Skinner.	Willacy.

Absent.

Harbison.	Murray.
Kellie.	Paulus.
Meachum.	Veale.

Absent—Excused.

Glasscock.

Senator Masterson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 65.

The Chair laid before the Senate, as pending business,

Senate bill No. 65, the State Text-Book Bill.

The question was on the pending amendment by Senator Skinner (see Journal of yesterday, page 484, for amendment in full).

Senator Smith offered the following amendment to the amendment, which was adopted:

Amend the amendment by striking out "fifteen" and insert in lieu thereof "ten."

Senator Skinner offered the following amendment to the amendment, which was adopted:

Amend the amendment as amended by striking out the word "nine," in line 12, and inserting "six."

Senator Skinner offered the following amendment to the amendment, which was adopted:

Amend the amendment as amended by striking out the word "three," in line 18, and the word "three," in line 19, and insert in lieu of each the word "two."

Senator Grinnan made a point of order that the amendment, as amended, was not germane, in that the Senate had, on a former day, adopted an amendment containing subject matter that would have the same effect as this amendment.

The Chair overruled the point of order.

Question then recurred on the amendment, as amended, and the same was adopted.

Senators Senter and Alexander offered the following amendment, which was adopted:

Amend Senate bill No. 65, Section 1, page 1 of printed bill, by adding after the words "history of Texas," in line 32, the following words: "Elementary agriculture, the use of which shall, however, be made optional with the trustees of any public school."

Senator Harper offered the following amendment, which was adopted:

Amend the bill by adding:

"Section 14. The fact that there is no law in this State to authorize the selection of text-books for the public schools in this State, and the present contract for text-books will shortly expire, creates an emergency and an imperative public necessity requiring the constitutional rule for bills to be read on three several days be suspended and it is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Senator Brachfield offered the following amendment:

Amend by adding to Section 1 the following: "Provided further, that the Governor may call a meeting of the board at any time after the adoption of the text-books for the use of the public schools, and if in the opinion of a majority of said board any change should be deemed necessary in any of the books adopted, the board shall have such power; provided, such change shall be made at the end of the year."

#### EXECUTIVE SESSION.

The Chair here announced the hour, 11 o'clock a. m., had arrived, which time having been previously designated for the Senate to hold executive session for the purpose of considering appointments sent to the Senate by the Governor on yesterday.

#### IN EXECUTIVE SESSION.

In executive session the following confirmations were had:

John M. Greene of DeWitt county, as a member of the Board of Directors of the Agricultural and Mechanical College.

L. C. Penry of Hale county, to be district attorney of the Sixty-fourth Judicial District of Texas.

#### IN THE SENATE.

Action then recurred on Senate bill No. 65, the question being on the amendment by Senator Brachfield.

Senator Barrett moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—20.

Alexander.	Looney.
Barrett.	Mayfield.
Chambers.	Murray.
Cunningham.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.

Nays—6.

Brachfield.	Grinnan.
Faust.	Masterson.
Green.	Stone.

Absent.

Kellie.	Paulus.
Meachum.	Stokes.

Absent—Excused.

Glasscock.

Senator Skinner offered the following amendment:

Amend the bill by inserting after the word "books," in line 32, page 1, the following: "And said board shall also select and adopt for use in a' the high schools of this State a uniform series of text-books covering and embracing all the branches, studies and subjects to be taught in said high schools."

Senator Senter offered the following amendment to the amendment:

Amend the amendment offered by the Senator from Ellis by adding thereto the following words: "Provided, the school trustees, or other school authorities, of any incorporated city or town or independent school district in this State shall be empowered to submit to the voters of such incorporated city or town or district at a regular or special election the question whether text-books selected by the board herein provided for relating to high school branches, shall be adopted in the schools of such city or town, and elections for the purpose of determining said matter may be held at intervals of not less than two years."

Pending discussion on the amendments, Senator Griggs, at 12:25 o'clock, moved that the Senate recess until 2 o'clock.

The motion was lost.

Question then recurred on the amendment by Senator Senter to the amendment by Senator Skinner, and

Senator Skinner moved to table the amendment to the amendment, which motion to table was lost by the following vote:

## Yeas—13.

Chambers.	Looney.
Faust.	Mayfield.
Greer.	Skinner.
Grinnan.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	

## Nays—15.

Alexander.	Masterson.
Barrett.	Meachum.
Brachfield.	Murray.
Cunningham.	Senter.
Green.	Veale.
Griggs.	Watson.
Hudspeth.	Willacy.
Kellie.	

## Absent.

Paulus.	Stokes.
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## Absent—Excused.

Glasscock.

Senator Murray moved the previous question on the amendments and the bill, which motion being duly seconded, was so ordered.

Question then recurred on the amendment to the amendment, which was adopted by the following vote:

## Yeas—15.

Alexander.	Kellie.
Barrett.	Masterson.
Brachfield.	Meachum.
Cunningham.	Senter.
Green.	Veale.
Greer.	Watson.
Griggs.	Willacy.
Hudspeth.	

## Nays—13.

Chambers.	Mayfield.
Faust.	Murray.
Grinnan.	Skinner.
Harbison.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Looney.	

## Absent.

Paulus.	Stokes.
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## Absent—Excused.

Glasscock.

Question then recurred on the amendment as amended, and the same was lost by the following vote:

## Yeas—13.

Alexander.	Chambers.
Brachfield.	Faust.

Grinnan.	Skinner.
Holsey.	Terrell.
Looney.	Veale.
Mayfield.	Willacy.
Meachum.	

## Nays—15.

Barrett.	Kellie.
Cunningham.	Masterson.
Green.	Murray.
Greer.	Senter.
Griggs.	Smith.
Harbison.	Stone.
Harper.	Watson.
Hudspeth.	

## Absent.

Paulus.	Stokes.
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## Absent—Excused.

Glasscock.

Bill read second time, and ordered engrossed.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—28.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.

## Absent.

Paulus.	Stokes.
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## Absent—Excused.

Glasscock.

Senator Smith offered the following amendment:

Amend Section 3, line 22, by striking out the following words: "January 1, 1908," and insert therefor the following: "October 1, 1907."

The amendment was adopted by the following vote:

## Yeas—28.

Alexander.	Brachfield.
Barrett.	Chambers.

Cunningham.	Masterson.
Faust.	Mayfield.
Green.	Meachum.
Greer.	Murray.
Griggs.	Senter.
Grinnan.	Skinner.
Harbison.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.
Looney.	Willacy.

Absent.

Paulus. Stokes.

Absent—Excused.

Glasscock.

The bill was read third time, and passed by the following vote:

Yeas—28.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.

Absent.

Paulus. Stokes.

Absent—Excused.

Glasscock.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## RECESS.

Senator Mayfield moved that the pending order of business (Senate bill No. 126) be suspended, and the Senate take up, out of its order, Senate bill No. 184.

Senator Griggs moved, as a substitute, that the pending business, Senate bill No. 126, be suspended, and the Senate take up, out of its order, Senate bill No. 18.

Senator Meachum moved that the Senate recess until 2:30 o'clock today, and

Senator Mayfield moved that the Sen-

ate adjourn until tomorrow morning at 10 o'clock.

Action being on the longest time first, the motion to adjourn until tomorrow was lost by the following vote:

Yeas—3.

Chambers.	Mayfield.
Harper.	

Nays—25.

Alexander	Looney.
Barrett.	Masterson.
Brachfield.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Paulus. Stokes.

Absent—Excused.

Glasscock.

The motion to recess until 2:30 o'clock today was then adopted.

## AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

## SPECIAL ORDERS.

On motion of Senator Faust, the pending order of business (Senate bill No. 126) was suspended, and the Senate took up, out of its order, Senate bills Nos. 149 and 150 for the purpose of setting them as special orders.

The Chair laid before the Senate

Senate bill No. 149, A bill to be entitled "An Act relating to negotiable instruments; the form and interpretation thereof; the consideration which will sustain negotiable instruments; the negotiation thereof; the liabilities of the parties; the presentment for payment; notice of dishonor thereof; the discharge of negotiable instruments, and defining the terms of acceptance, action, bank, bearer, bill, delivery, holder, endorsement, instrument, issue, person, value, and written, and repealing all laws in conflict with this act, and providing for an emergency," and

Senate bill No. 150, A bill to be entitled "An Act relating to bills of exchange, form and interpretation thereof;

the acceptance of same; presentment for acceptance thereof; the protest of same; acceptance for dishonor; payment for dishonor; bills in a set; and defining the terms acceptance, action, bank, bearer, bill, delivery, holder, indorsements, instrument, issue, note, person, value, written, and writing, and providing for an emergency."

Senator Faust moved that the bills be made special order for Friday morning after the conclusion of the morning call.

The motion was adopted.

#### SENATE BILL NO. 109 — HOUSE AMENDMENTS CONCURRED IN.

Senator Willacy called up, as a privileged matter,

Senate bill No. 109, A bill to be entitled "An Act making appropriations for deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1905; August 31, 1906; August 31, 1907, being for claims registered in the Comptroller's office in accordance with law and for outstanding claims not registered, and to make additional appropriations for the support of the State government for the years ending August 31, 1905; August 31, 1906, and August 31, 1907."

And moved that the Senate concur in the following House amendments:

(1)

Amend the caption in third line after the word "ending" by inserting the words "August 31, 1903."

(2)

Amend Section 1 by striking out in line 12 the figures "1904" and inserting the figures "1902."

(3)

Amend the seventh item of the bill, being the item to pay the salary of Judge W. C. Wear, by striking out the figures "312.50," and inserting the figures "326.48."

(4)

Amend line 2, page 13, by inserting after the word "pupils" the figures "\$200."

(5)

Amend page 3, after the last item under Confederate Home, by inserting the following additional item: "Fisher Bros., \$221.30."

(6)

Amend page 3, under the head of Live

Stock Sanitary Commission, by striking out the words and figures: "W. J. Moore, \$67.35." "M. M. Hankins, \$28.65, \$191.75, \$220.40."

(7)

Amend page 4, under the head of Epileptic Colony, by adding after the words "officers' quarters," the following words, "out of which amount shall be paid the freight, amounting to \$82.27, to Harry Reading, the same having been heretofore paid by him."

(8)

Amend page 4, under the head of General Land Office, by striking out the word "Feb."

(9)

Amend page 5, under the head of State Orphan Home, by striking out the figures "\$1000" and inserting the figures "1260," and by inserting the additional item, "For maintenance of school, \$240."

(10)

Amend page 5 at the end of Section 2 by inserting the following additional items:

To refund the Southwestern Telegraph and Telephone company the amount of taxes erroneously assessed on property in Erath county and paid into the State treasury.....	\$ 15 67
To pay Marshall Burney amount of approved account of Twenty-ninth Legislature.....	4 00
To pay Mrs. C. D. Tobin amount of approved account of Twenty-ninth Legislature.....	5 00
To pay Richard Arnold for bread, etc., furnished the Blind Asylum for the year ending August 31, 1905.....	66 15
To pay Robinson Bros. for supplies furnished Blind Asylum for year ending August 31, 1904 .....	115 68
To pay balance due contractors for construction of Superintendent's and Administration building, Epileptic Colony, and equipment for year ending August 31, 1904.....	104 39
To pay balance due William Proctor Preston for services as architect in drawing plans and superintending construction of buildings at Epileptic Colony during fiscal year ending August 31, 1904.....	31 75

## State Treasurer's Office.

To readvertise for bids for State funds under depositary law passed by the Twenty-ninth Legislature . . . . . 300 00  
 Salary of one additional clerk, from March 1 to August 31, 1907, at \$100 per month . . . . . 600 00

## Miscellaneous.

To pay cost of district clerk, sheriff and witnesses and notary fees in taking depositions in the district court of McLennan county, Texas, in cause No. 373, State of Texas vs. Waters-Pierce Oil Co., in which said costs were adjudged against the State . . . . . 796 33

## Confederate Home.

Medical supplies and instruments . . . . . 500 00  
 Kitchen, dining room and laundry supplies . . . . . 450 00

Add "\$1000 or so much thereof as is necessary to pay W. R. Davie, tax commissioner, for balance due him as salary for 1905."

The motion to concur was adopted by the following vote:

## Yeas—21.

Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Mayfield.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stone.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	Willacy.
Hudspeth.	

## Absent.

Alexander.	Murray.
Cunningham.	Paulus.
Harbison.	Stokes.
Masterson.	Terrell.
Meachum.	

## Absent—Excused.

Glasscock.

## SIMPLE RESOLUTION.

By Senator Griggs:

Whereas, The Hon. Norman G. Kittrell has been invited by the Senate to deliver a patriotic address in the Senate Chamber on the evening of March 6th, now, therefore, be it

Resolved, That the members of the House of Representatives and all State officers be and they are hereby invited to be present upon said occasion.

Senator Skinner offered the following amendment to the resolution which was adopted:

Amend the resolution by adding thereto the following: "And that the students and teachers of the University of Texas be also cordially invited by the Senate to attend said exercise, and hear said address."

The resolution was read and adopted as amended.

## EXCUSED.

On motion of Senator Stone, Senator Stokes was excused from attendance upon the Senate for balance of today, on account of sickness.

## SENATE BILL NO. 18.

Action here recurred on the substitute motion by Senator Griggs to suspend the regular order of business and take up Senate bill No. 18, and Senator Mayfield withdrew the motion to suspend pending business and take up Senate bill No. 184.

Senator Griggs then moved that the pending order of business (Senate bill No. 126) be suspended, and the Senate take up, out of its order, Senate bill No. 18.

Senator Holsey moved as a substitute that the pending order of business (Senate bill No. 126) be suspended, and the Senate take up, out of its order, Senate bill No. 82.

Senator Griggs moved to table the substitute motion, which motion to table was adopted by the following vote:

## Yeas—14.

Alexander.	Harper.
Barrett.	Kellie.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Stone.
Green.	Terrell.
Griggs.	Watson.

## Nays—11.

Brachfield.	Senter.
Greer.	Skinner.
Grinnan.	Smith.
Holsey.	Veale.
Hudspeth.	Willacy.
Looney.	

## Absent.

Harbison.	Murray.
Masterson.	Paulus.

Absent—Excused.

Glasscock.

Stokes.

Senator Griggs' motion, to suspend pending business and take up Senate bill No. 18, was then adopted.

The Chair laid before the Senate, on second reading.

Senate bill No. 18. A bill to be entitled "An Act to provide for acquiring by purchase or condemnation about fourteen acres of ground, being a part of and adjoining the San Jacinto battle ground, and fronting upon the navigable waters of Buffalo Bayou or San Jacinto Bay, and providing for fencing, beautifying and improving the lands of San Jacinto battlefield, now owned or hereafter acquired by the State of Texas, the same to be designated by name as 'San Jacinto State Park,' making an appropriation therefor, and declaring an emergency."

Senator Griggs offered the following amendment, which was adopted:

Amend the bill by striking out all after the word "law," line 2, page 3, down to and including the word "companies," in line 4, page 3.

Senator Griggs offered the following amendment, which was adopted:

Amend by striking out of caption the words "or San Jacinto Bay."

Bill read second time, and ordered engrossed.

On motion of Senator Griggs, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Green.	Stone.
Greer.	Terrell.
Griggs.	Veale.
Grinnan.	Watson.
Harper.	Willacy.
Holsey.	

Nays—3.

Looney.	Smith.
Skinner.	

Absent.

Harbison.	Paulus.
Masterson.	

Absent—Excused.

Glasscock.	Stokes.
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(Senator Barrett in the chair.)

Pending discussion, Senator Chambers moved to reconsider the vote by which the bill was ordered engrossed, and

Senator Griggs moved to table the motion to reconsider, which motion to table was adopted by the following vote:

Yeas—15.

Alexander.	Meachum.
Barrett.	Senter.
Green.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Masterson.	

Nays—13.

Brachfield.	Holsey.
Chambers.	Looney.
Cunningham.	Mayfield.
Faust.	Murray.
Greer.	Skinner.
Harbison.	Smith.
Harper.	

Absent.

Paulus.

Absent—Excused.

Glasscock.

Stokes.

Senator Holsey offered the following amendment.

Amend the bill on line 1, page 6, by striking out "\$25,000" and inserting in lieu thereof "\$10,000."

HOLSEY.  
MAYFIELD.

Senator Looney offered the following substitute for the amendment:

Amend the bill page 6, line 1, by striking out "(\$25,000) twenty five thousand," and insert in lieu thereof "five thousand."

Senator Masterson moved the previous question on the pending amendments and the bill, the motion was duly seconded and was ordered by the following vote:

Yeas—10.

Alexander.	Kellie.
Barrett.	Masterson.
Cunningham.	Senter.
Faust.	Stone.
Green.	Terrell.
Griggs.	Veale.
Grinnan.	Watson.
Hudspeth.	Willacy.

Nays—12.

Brachfield.	Greer.
Chambers.	Harbison.

Harper.	Meachum.
Holsey.	Murray.
Looney.	Skinner.
Mayfield.	Smith.

Absent.

Paulus.

Absent—Excused.

Glasscock.	Stokes.
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Question then recurred on the substitute amendment by Senator Looney for the amendment by Senator Holsey, and the same was lost by the following vote:

Yeas—7.

Chambers.	Looney.
Greer.	Meachum.
Harbison.	Smith.
Harper.	

Nays—21.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Murray.
Cunningham.	Senter.
Faust.	Skinner.
Green.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Paulus.

Absent—Excused.

Glasscock.	Stokes.
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Question then recurred on the amendment by Senator Holsey and the same was lost by the following vote:

Yeas—12.

Brachfield.	Looney.
Chambers.	Mayfield.
Greer.	Meachum.
Harbison.	Murray.
Harper.	Skinner.
Holsey.	Smith.

Nays—16.

Alexander.	Kellie.
Barrett.	Masterson.
Cunningham.	Senter.
Faust.	Stone.
Green.	Terrell.
Griggs.	Veale.
Grinnan.	Watson.
Hudspeth.	Willacy.

Absent.

Paulus.

Absent—Excused.

Glasscock.	Stokes.
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The bill was then read third time, and passed by the following vote:

Yeas—20.

Alexander.	Kellie.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Senter.
Cunningham.	Skinner.
Faust.	Stone.
Green.	Terrell.
Griggs.	Veale.
Grinnan.	Watson.
Hudspeth.	Willacy.

Nays—8.

Greer.	Looney.
Harbison.	Meachum.
Harper.	Murray.
Holsey.	Smith.

Absent.

Paulus.

Absent—Excused.

Glasscock.	Stokes.
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Senator Griggs moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed by the following vote:

Yeas—19.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Senter.
Cunningham.	Skinner.
Faust.	Stone.
Green.	Terrell.
Griggs.	Veale.
Grinnan.	Watson.
Hudspeth.	Willacy.
Kellie.	

Nays—9.

Chambers.	Looney.
Greer.	Meachum.
Harbison.	Murray.
Harper.	Smith.
Holsey.	

Absent.

Paulus.

Absent—Excused.

Glasscock.	Stokes.
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(Lieutenant Governor Davidson in the chair.)

## SENATE BILL NO. 184.

On motion of Senator Mayfield, the pending order of business (Senate bill No. 126) was suspended, and the Senate took up, out of its order, Senate bill No. 184.

The Chair laid before the Senate, on second reading.

Senate bill No. 184, A bill to be entitled "An Act to amend Section 4 of Chapter 86 of the Acts of the Twenty-eighth Legislature, relating to wolves and other wild animals, and providing for the destruction thereof; placing Bosque county under the provisions of this law, and declaring an emergency."

Senator Mayfield, offered the following amendment, which was adopted:

Amend Senate bill No. 184 by striking out the word "Brewster" in line 17, the word "El Paso" in line 21, the words "Jeff Davis" in line 26, the word "Kinney" in line 27, the word "Medina" in line 29, the word "Maverick" in line 30, the words "Pecos" and "Presidio" in line 32 on page 1, the word "Reeves" in line 1, the word "Uvalde" in line 4, the words "Val Verde" in line 5 and the word "Zavala" in line 6, on page 2.

Senator Willacy offered the following amendment, which was adopted:

Amend by adding the words "San Patricio" after the words "San Jacinto."

Bill read second time, and ordered engrossed.

On motion of Senator Mayfield the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Harbison.	Paulus.
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Absent—Excused.

Glasscock.	Stokes.
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Senator Willacy offered the following amendment:

Amend by adding the word "Duval" after the word "Dimmit."

The amendment was adopted by the following vote:

Yeas—26.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Griggs.	Paulus.
Harbison.	

Absent—Excused.

Glasscock.	Stokes.
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The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Harbison.	Paulus.
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Absent—Excused.

Glasscock.	Stokes.
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Senator Mayfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## ADJOURNMENT.

Senator Hudspeth moved that the pending order of business (Senate bill No. 126) be suspended, and the Senate

take up, out of its order, Senate bill No. 3.

Senator Holsey moved as a substitute that the pending order of business (Senate bill No. 126) be suspended, and the Senate take up, out of its order, Senate bill No. 82.

Senator Skinner moved that the Senate recess until 7:30 o'clock tonight, and

Senator Smith moved that the Senate adjourn until tomorrow morning at 10 o'clock.

Action being on the longest time first, the motion to adjourn until tomorrow morning at 10 o'clock was adopted by the following vote:

Yeas—14.

Barrett.	Meachum.
Cunningham.	Murray.
Faust.	Smith.
Griggs.	Stone.
Harper.	Terrell.
Masterson.	Watson.
Mayfield.	Willacy.

Nays—14.

Alexander.	Holsey.
Brachfield.	Hudspeth.
Chambers.	Kellie.
Green.	Looney.
Greer.	Senter.
Grinnan.	Skinner.
Harbison.	Veale.

Absent.

Paulus.

Absent—Excused.

Glasscock. Stokes.

The vote being a tie, Lieutenant Governor Davidson voted "yea," and declared the motion carried.

APPENDIX.

COMMITTEE REPORTS.

(Floor Report.)

Committee Room,  
Austin, Texas, March 2, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 1, to whom was referred

Senate bill No. 231, A bill to be entitled "An Act to prevent by means of a writ of injunction at the suit of the State or any citizen thereof, the unlawful selling or otherwise disposing of

intoxicating liquors in local option territories, and to make such unlawful sale and disposal thereof in such territories nuisances per se."

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass.

Stone, Masterson, Griggs, Veale, Senter, Chambers, Meachum, Green.

(Floor Report.)

Committee Room,  
Austin, Texas, March 5, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 2, to whom was referred

House bill No. 80, A bill to be entitled "An Act to protect the lives and property of the traveling public, and the employees of the railroads in the State of Texas,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass.

Looney, Chairman; Smith, Hudspeth, Watson, Stokes, Barrett, Greer, Alexander.

Committee Room,  
Austin, Texas, March 5, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

House bill No. 184, A bill to be entitled "An Act for the relief of the present owners and occupants and their heirs and assigns of three surveys of land situated in Comanche county, consisting of one-third league each, one of which was patented to the heirs of Thomas J. Blakemore by patent No. 85, Vol. 16, issued on the 4th day of October, 1859, one patented to the heirs of Joseph J. Blakemore by patent No. 84, Vol. 16, issued on the 4th day of October, 1859, and one patented to the heirs of Joseph Blakemore by patent No. 278, Vol. 15, issued on the 11th day of February, 1861, whereby the State of Texas relinquishes to said owners and occupants of said land whatever right, title or interest there may be in the State of Texas to escheat said land by reason of the fact that the heirs of the original grantees inherited said land at a time that Texas was a Republic and while they, the said heirs, were aliens to the said Republic of Texas, without thereafter complying with the provisions of the Constitution of the Republic of

Texas for such cases made and provided,"

Have had same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass, and that it be not printed.

Murray, Alexander, Hudspeth, Veale, Green, Kellie, Grinnan.

Committee Room,  
Austin, Texas, March 5, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 208, A bill to be entitled "An Act to validate sales of public school lands to actual settlers in such cases as the applicant or assignee did not settle within the time required by law or did not file within the time required by law the affidavit of settlement, but did settle and continue to reside upon the land in good faith,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

Murray, Willacy, Green, Alexander, Veale, Kellie.

Committee Room,  
Austin, Texas, March 2, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 11, Joint Resolution to amend Section 2, Article VIII, of the Constitution of the State of Texas, relating to certain exemptions from taxation,

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

HARPER, Chairman.

#### FORTY-THIRD DAY.

Senate Chamber,  
Austin, Texas,  
Wednesday, March 6, 1907.

Senate met pursuant to adjournment. Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Chambers.
Barrett.	Cunningham.
Brachfield.	Faust.

Green.	Murray.
Greer.	Paulus.
Grinnan.	Senter.
Harbison.	Skinner.
Harper.	Smith.
Holsey.	Stokes.
Hudspeth.	Stone.
Kellie.	Terrell.
Looney.	Veale.
Masterson.	Watson.
Mayfield.	Willacy.
Meachum.	

Absent.

Griggs.

Absent—Excused.

Glascock.

Prayer by Rev. H. M. Sears, Chaplain of the Senate.

Pending the reading of the Journal of yesterday, on motion of Senator Stone, the same was dispensed with.

(See Appendix for committee reports.)

#### EXCUSED.

On motion of Senator Harbison, Senator Paulus was excused from attendance upon the Senate for Monday and yesterday, on account of important business.

On motion of Senator Paulus, Senator Griggs was excused from attendance upon the Senate for today, on account of important business.

#### BILLS AND RESOLUTIONS.

By Senators Stone and Barrett:

Senate Concurrent Resolution No. 7, A resolution providing for the appointment of a special committee to investigate the cost of the life-size picture of David Crockett, now hanging on the walls of the first floor of the Capitol, and which is the property of Mrs. Huddle, with the view of purchasing same;

Read first time, and referred to Committee on Finance.

By Senator Stone:

Senate Concurrent Resolution No. 8, A resolution providing for appropriations to refund to the Texas Central Railroad Company certain taxes paid by it under Love's gross receipts act.

Read first time, and referred to Committee on Finance.

By Senator Willacy:

Senate Concurrent Resolution No. 9, Whereas, There are now on hand in the Attorney General's Department a number of law books of which later edi-